

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3647-01
Bill No.: Perfected HB 1726
Subject: Children and Minors: Education, Elementary and Secondary
Type: # Corrected
Date: April 19, 2002
To correct typographical error on fiscal summary

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
General Revenue#	(\$72,234 to Unknown)	(\$84,207 to Unknown)	(\$86,320 to Unknown)
Motivating Parents and Children Fund	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> State Funds*#	(\$72,234 to Unknown)	(\$84,207 to Unknown)	(\$86,320 to Unknown)

***Subject to appropriation; costs expected to exceed \$100,000**

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
School Districts	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 7 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Secretary of State's Office (SOS)** assumed the rules, regulations and forms issued by the Department of Elementary and Secondary Education could require as many as 26 pages in the *Code of State Regulations*. For any given rule, roughly half again as many pages are published in the *Missouri Register* as in the Code because cost statements, fiscal notes and the like are not repeated in the Code. These costs are estimated. The estimated cost of a page in the *Missouri Register* is \$23. The estimated cost of a page in the *Code of State Regulations* is \$27. The actual costs could be more or less the SOS's estimated cost of \$1,599 for FY 2003. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules, filed, amended, rescinded or withdrawn.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Section 160.261 - Discipline in Public Schools

Officials from the **Department of Elementary and Secondary Education** stated that this proposed legislation would have no fiscal impact on their agency.

Officials from the **Kansas City Missouri School District** indicated that the creation of a policy on bullying would require changes in student handbooks. The cost of printing a new student handbook is approximately \$10,000. **Oversight** assumes that handbooks are reprinted periodically and costs of printing could be absorbed with existing resources.

Section 160.730 - Motivating Parents and Children Program (MPAC)

Officials from the **Office of State Treasurer** indicated this proposed legislation would have no fiscal impact on their agency.

Officials from the **St Louis Public Schools** indicated that the district could receive revenue if selected to receive grant funding. There could be costs to implement the program.

Officials from the **Kansas City Missouri School District** stated the program would not be an additional cost, assuming the state funds the program.

Officials from the **Department of Elementary and Secondary Education (DESE)** assumed that, subject to appropriation, the "Motivating Parents and Children Fund" would see an
ASSUMPTION (continued)

unknown impact. The amount of the grants is not specified in the proposal; however, DESE assumes the impact would be significant. DESE would require 1.0 FTE Coordinator as provided in the proposal, 1.0 FTE Supervisor, and 1.0 FTE Administrative Assistant to develop, implement, and administer a program of family support; to establish and administer an incentive program and a child care volunteer program, and to develop qualifying criteria.

DESE assumes the school districts would have a minimal fiscal impact not covered by the grant award.

Oversight assumes that since this is a pilot program with six school districts the Coordinator position, as required in the proposed legislation, would be adequate to develop and administer the programs outlined in the proposal. **Oversight** also assume that minimal costs not covered by the grant awards could be absorbed by the districts with existing resources.

Section 167.161 - Suspension or Expulsion of Pupils in Public Schools

Officials from the **Department of Elementary and Secondary Education** and the **Office of State Courts Administrator** stated that this proposed legislation would have no fiscal impact on their agency.

Officials from the **Office of Prosecution Services** responded to the introduced version and indicated there would be no additional costs to prosecutors as a result of this proposal.

Officials from the **Department of Social Services - Division of Youth Services (DYS)** indicated that the impact of this legislation on DYS is difficult to estimate. In 1999, there were approximately 9,500 youth statewide referred to juvenile court for having committed a felony. If school districts exercise their right, under this proposal, to suspend all youth alleged, indicted, convicted, or adjudicated for having committed a felony, the risk of committing larger numbers of youth to DYS increase. Under this provision, youth who have committed, or alleged to have committed, felonies may not be permitted to return to school even after court intervention and/or a course of treatment. The expense of providing these youth with an option of alternative education programming in community care and/or aftercare would be increased.

DYS is unable to estimate the fiscal impact of this bill because of the uncertainty of how public school districts will exercise their option of suspending youth alleged or adjudicated for felony offenses. The number of youth who would be impacted cannot be estimated and DYS is unable to estimate the duration of the suspensions impacted by the school districts; therefore, the fiscal impact of this proposal is unknown.

FISCAL IMPACT - State Government

FY 2003
(10 Mo.)

FY 2004

FY 2005

GENERAL REVENUE FUND

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<u>Cost</u> - Elementary and Secondary Education (DESE)			
Personal Service (1 FTE Coordinator)	(\$49,350)	(\$60,701)	(\$62,218)
Benefits	(\$17,771)	(\$21,858)	(\$22,405)
Equipment and Expense	<u>(\$5,113)</u>	<u>(\$1,648)</u>	<u>(\$1,697)</u>
Total Administrative <u>Cost</u> *	(\$72,234)	(\$84,207)	(\$86,320)
<u>Cost</u> - DESE			
Transfer to Motivating Parents and Children Fund (MPAC)*	(Unknown)	(Unknown)	(Unknown)
<u>Cost</u> - Dept of Social Services - Division of Youth Services			
Youth Program Costs	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>(\$72,234 to Unknown)</u>	<u>(\$84,207 to Unknown)</u>	<u>(\$86,320 to Unknown)</u>
*Subject to appropriation			
MOTIVATING PARENTS AND CHILDREN FUND			
<u>Income</u> - Transfer from General Revenue	Unknown	Unknown	Unknown
<u>Cost</u> - Grants to participating school districts	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON MOTIVATING PARENTS AND CHILDREN FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
SCHOOL DISTRICTS			

<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<u>Income</u> - Grants from Motivating Parents and Children Fund	Unknown	Unknown	Unknown
<u>Cost</u> - Services to families with at-risk students	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT TO SCHOOL DISTRICTS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Small businesses that contract with schools for printing could see a positive fiscal impact as a result of this proposed legislation.

DESCRIPTION

SECTION 160.261 - School Discipline

This proposed legislation requires each school district to establish a policy that prohibits bullying, which is defined in the proposal. The policy must be consistently and fairly enforced. The discipline policy may address the issue of notification of students and parents of students concerning credit threats to commit any of the acts listed in the section. Also, added to the list of reportable acts is: Making a terroristic threat, pursuant to Section 574.115.

School districts shall consider the inclusion of character education as part of an age-appropriate curriculum if the district board determines that character education would have a positive effect on discipline in any or all of its schools.

SECTION 160.730 - Motivating Parent and Children Program

This proposed legislation creates a pilot program, "Motivating Parents and Children Program", for school age children considered at risk by their school district. The Department of Elementary and Secondary Education (DESE) will provide grants to six qualifying districts, three of which shall be urban or metropolitan and three rural. DESE shall provide a statewide program coordinator and develop a program of family support, which will also be available to home school students. The proposal specifies other elements of the program, including incentives for parents who attend parenting classes and requiring parents to spend a day in school with the child who violates major disciplinary rules which record of the violation becomes part of the student's DESCRIPTION (continued)

permanent school district record, other than suspension. DESE must develop criteria for

determining qualifications for the grant, and the proposal establishes a fund in the state treasury for the program.

This section of the proposed legislation is subject to appropriation and shall not take effect unless the general assembly appropriates moneys in advance to fund provisions of this section.

SECTION 167.161 - Suspension or Expulsion of Pupils in Public Schools

This proposed legislation amends Section 167.161, RSMo, allowing a school district to suspend a student who has been charged with, or adjudicated to have committed a felony criminal violation, regardless of whether that student is prosecuted as an adult or as a juvenile.

SECTION 1.

This section of the proposed legislation prohibits any employee of any public school or charter school within this state from performing a strip search, as the term is defined in Section 544.193.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

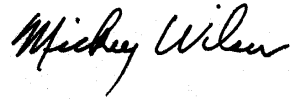
Department of Elementary and Secondary Education

LMD:LR:OD (12/01)

Office of Prosecution Services
Department of Social Services
Division of Youth Services
Office of State Courts Administrator
Office of State Treasurer
Office of Secretary of State
Administrative Rules Division
Kansas City Missouri School District
St Louis Public Schools

NOT RESPONDING

Office of Attorney General

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Acting Director
April 19, 2002